

**A CERTIFIED TRUE COPY**

SEP - 9 2005

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONU.S. DISTRICT COURT  
EASTERN DISTRICT OF LAJUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

2005 SEP 22 PM 3:44

AUG 24 2005

FILED  
CLERK'S OFFICE

LORETTA G. WHYTE

DOCKET NO. 1657

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX PRODUCTS LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-22)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,259 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. BeckMichael J. Beck  
Clerk of the Panel10:45 AM  
CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

05 NOV 23 PM 1:40

FILED BY: S D.C.

05-1209

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP - 9 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**CLERK'S OFFICE**  
A TRUE COPY

OCT 3 2005

Deputy Clerk, U. S. District Court  
Eastern District Of Louisiana  
New Orleans, La.

Fee	_____
Process	_____
X Dkt	_____
Clerk's Dep	_____
Doc. No	1020

(16)

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA  
OFFICE OF THE CLERK

LORRETTA G. WHYTE  
CLERK

500 POYDRAS ST., SUITE C-151  
NEW ORLEANS, LA 70130

November 14, 2005

Robert Di Trolio, Clerk  
United States District Court  
Western District of Tennessee  
111 S. Highland  
Jackson, TN 38301

RECEIVED  
05 NOV 23 PM 1:47  
THOMAS A. COULD  
CLERK U.S. DISTRICT COURT  
W.D. OF TN JACKSON

In Re: MDL 1657 Vioxx Products Liability Litigation L (3)

Dear Mr. Di Trolio:

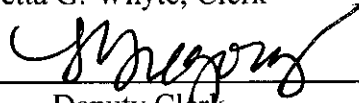
Enclosed are certified copies of a transfer order received from the Multidistrict Litigation Panel in Washington, D.C. It instructs that the cases listed on the attached page be transferred to our district for disposition pursuant to Title 28 USC 1407, as soon as possible. Our office has assigned new civil action numbers to these cases as referenced on the attached page.

**DO NOT FORWARD THE ORIGINAL RECORD.** The Honorable Eldon E. Fallon, U.S. District Court Judge issued an order directing that the transfer of records consist of only a certified copy of the complaint (including notice of removal, if applicable), any amendments, the docket sheet and the MDL Transfer Order, together with a copy of the transfer letter be forwarded to the transferor court.

**Due to the high volume of cases involved in this litigation please provide paper copies of the above documents instead of simply referring to your website.**  
Your prompt attention in this matter is greatly appreciated.

Should you have any questions regarding this request, please contact Dina Guilbeau at (504)589-7704.

Very truly yours,  
Loretta G. Whyte, Clerk

By   
Deputy Clerk

Enclosures  
cc: Judicial Panel on Multidistrict Litigation

05-1209

<u>Your Case Nos.</u>	<u>Case Title</u>	<u>Our Case Nos.</u>
1:05-1168	John J. Stockton v. Merck & Co., Inc.	05-4639 L (3)
1:05-1209	<del>LeRoyce Wallace v. Merck &amp; Co. Inc.</del>	<del>05-4640 L (3)</del>
1:05-1210	Tilda N. Simmons v. Merck & Co. Inc.	05-4641 L (3)
1:05-1211	James H. Oliver v. Merck & Co. Inc.	05-4642 L (3)

**UNITED STATES DISTRICT COURT**

WESTERN DISTRICT OF TENNESSEE

THOMAS M. GOULD  
CLERK OF COURT

JACKSON (731) 421-9200  
FAX (731) 421-9210

November 28, 2005

Loretta G. Whyte, Clerk  
United States District Court  
Eastern Division of Louisiana  
500 Poydras St., Room C-151  
New Orleans, LA 70130

RE: MDL #1657 - Vioxx Products Liability Litigation L (3)

WD of TN

ED of LA

#05-1209-T/An	Wallace v. Merck & Co., Inc., et al.	05-4640 L (3)
#05-1168-T/An	Stockton, et al. v. Merck & Co., Inc., et al.	05-4639 L (3)

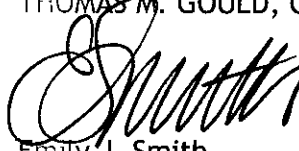
Dear Ms. Whyte:

Pursuant to the Orders of Transfer on the above-styled cases, please find enclosed certified copies of the Notices of Removal (lower court complaints), docket sheets, MDL transfer orders and copies of the transfer letters.

Please indicate receipt of this correspondence on the enclosed copy of this letter and return it to us in the enclosed self-addressed envelope. Thank you.

THOMAS M. GOULD, Clerk

By:



Emily J. Smith  
Case Manager

Encl.

262 U.S. COURTHOUSE  
111 S. HIGHLAND  
JACKSON, TENNESSEE 38301



## Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 1:05-CV-01209 was distributed by fax, mail, or direct printing on November 28, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT